Supreme Court, U.S.
FILED
JUN 12 1997
OFFICE OF THE CLERK

3

No. 96-1060

In The

Supreme Court of the United States

October Term, 1996

LORELYN PENERO MILLER,

Petitioner,

v.

MADELEINE K. ALBRIGHT,
Secretary of State of the United States,

Respondent.

On Writ Of Certiorari To The United States Court Of Appeals For The District Of Columbia Circuit

JOINT APPENDIX

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Petition For Certiorari Filed January 6, 1997
Certiorari Granted April 28, 1997

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UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT

DOCKET NO. 94-5160

Lorelyn P. Miller, Appellant

v.

Warren Christopher, Secretary of State,
Appellee

RELEVANT DOCKET ENTRIES

6/29/94 CIVIL-US CASE docketed. Notice of Appeal filed by Appellant Lorelyn Penero Miller. [59607-1] (lvs)

8/9/94 NOTICE filed by Appellant Lorelyn Penero Miller. FINAL transcript status notice filed [66918-1]. Transcripts will not be needed in this case. Certificate of service date 8/5/94. (lvs)

8/9/94 MOTION filed (5 copies) by Appellant Lorelyn Penero Miller (certificate of service dated 8/5/94) <STYLED AS MOTION TO DISPENSE WITH APPENDIX> [66921-1] (lvs)

6/30/95 CLERK'S ORDER filed granting motion to dispense with appendix filed by Lorelyn Penero Miller [66921-1]; Appellant is directed, however, to include the complaint and the relevant district court order(s) as an attachment to her brief. (cwc)

6/30/95 CLERK'S ORDER filed to schedule oral argument [133187-1] before Judge Initials: PMW DBS KLH on 11/21/95; establishing the initial briefing schedule [133187-2]: (Note: This is a Reg case) Appellant's brief due on 9/6/95;

Appellee's brief due on 10/6/95; Appellant's reply brief due on 10/20/95. (cwc)

9/7/95 BRIEF filed by Appellant Lorelyn Penero Miller [147352-1]. Copies: 15. Certificate of service date 9/6/95. (lej)

10/6/95 BRIEF filed by Appellee Warren Christopher [154843-1]. Copies: 15. Certificate of service date 10/6/95. [BRIEF HAS A GREY COVER]. (jth)

10/10/95 CORRECTED BRIEF filed by Appellee Warren Christopher [154848-1]. Copies: 15. Certificate of service date 10/10/95. [BRIEF HAS RED COVER]. (jth)

10/23/95 REPLY BRIEF filed by Appellant Lorelyn Penero Miller [157826-1]. Copies: 15. Certificate of service date 10/20/95. (jas)

11/21/95 ORAL ARGUMENT HELD before Wald, Buckley, Henderson . . . (ddm)

10/8/96 JUDGMENT for the reasons in the accompanying opinion affirming in part [227810-1], to remand case to the USDC [227810-2] Before Judges Wald, Henderson, Buckley. (edb)

10/8/96 OPINION (12 pgs) for the Court filed by Judge Buckley*, CONCURRING OPINION (8 pgs) filed by Judge Wald. * At the time of oral argument, Judge Buckley was a circuit judge in active service. He assumed senior status on 9/1/96. (edb)

1/8/97 NOTICE filed by Supreme Court of the United States, informing the Court that a writ of certiorari was filed January 6, 1997, Case No. 96-1060 [249241-1]. (lvs)

4/30/97 NOTICE filed by Clerk, Supreme Court advising of an order entered 04/28/97 granting certiorari. Supreme Court Docket No. 96-1060. [269409-1] (jth)

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

DOCKET NO. 1:93cv1182

Lorelyn P. Miller, Plaintiff

v.

Warren Christopher, Secretary of State,
Defendant

RELEVANT DOCKET ENTRIES

6/11/93 1 ORIGINAL FILE, certified copy of transfer order and docket sheet received from USDC for the Eastern District of Texas, Tyler Division (6:93cv39) (dot) [Entry date 06/14/93]

8/9/93 8 MOTION filed by defendant WARREN CHRISTOPHER to dismiss action; Exhibits (3) (sm) [Entry date 08/10/93]

9/17/93 12 RESPONSE by plaintiff(s) LORELYN PENERO MILLER in opposition to motion to dismiss action [8-1] by WARREN CHRISTOPHER "Let this be filed" (fiat) JUDGE LAMBERTH (dot) [Entry date 09/21/93]

10/18/93 20 REPLY by defendant WARREN CHRISTOPHER to response to motion to dismiss

action [8-1] by WARREN CHRISTOPHER (pob) [Entry date 10/19/93]

4/29/94 23 MEMORANDUM AND ORDER by Judge Royce C. Lamberth: granting motion for leave to file supplemental memorandum of points and authorities in opposition to defendant's motion to dismiss [21-1] by LORELYN PENERO MILLER, granting motion to dismiss action [8-1] by WARREN CHRISTOPHER (fle)

4/29/94 25 SUPPLEMENTAL MEMORANDUM by plaintiff LORELYN MILLER to motion to dismiss action [0-1] by WARREN CHRISTOPHER; exhibits (3) (dot) [Entry date 06/16/94]

5/3/94 24 REPLY by plaintiff(s) LORELYN PENERO MILLER to defendant's reply to plaintiff's opposition to motion to dismiss action [8-1] by WARREN CHRISTOPHER (dot)

6/15/94 26 NOTICE OF APPEAL by plaintiff(s) LORELYN PENERO MILLER from order [23-1] entered on: 4/29/94. $5.00 filing fee and $100.00 docketing fee paid USDC. Copy mailed to Douglas A. Wickham. (Attorney for plaintiff Donald Ross Patterson, 777 South Broadway; Suite 106, Tyler, Texas 75701-1648, (903) 592-8186, is not a member of the DC Bar.) (dot) [Entry date 06/16/94]

6/16/94 – TRANSMITTED PRELIMINARY RECORD on appeal [26-1] by LORELYN PENERO MILLER to U.S. Court of Appeals (dot)

6/30/94 – USCA # 94-5160 assigned for appeal [26-1] by LORELYN PENERO MILLER (dot) [Entry date 07/01/94]

12/18/96 27 CERTIFIED COPY of judgment filed in USCA dated 10/8/96, on appeal [26-1], remanding for further proceedings. OPINION USCA 94-5160 (cjp)

[END OF DOCKET: 1:93cv1182]

IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF TEXAS

TYLER DIVISION

LORELYN PENERO MILLER and CHARLIE R. MILLER Plaintiffs	X X X	CIVIL ACTION NO. 6:93 CV 39
V.	X X	FIRST AMENDED COMPLAINT
SECRETARY OF STATE, WARREN CHRISTOPHER Defendant	X X X	(Filed Mar. 31, 1993)

TO THE HONORABLE JUDGE OF SAID COURT:

Plaintiff, Lorelyn Penero Miller, is a citizen of the United States, owing allegiance thereto and is a resident of the Angeles City, Republic of the Philippines. Plaintiff Charlie R. Miller is a citizen of the United States and a resident of Smith County, Texas.

I.

Defendant, Warren Christopher, is the duly appointed, qualified, confirmed, and acting Secretary of State and head of the Department of State of the United States of America and as such is the official charged with all granting and issuing of passports under 22 USC Section 211a. Defendant maintains his offices as Secretary of State in the District of Columbia.

II.

This is an action for declaratory judgment and injunctive relief pursuant to 28 USC Sections 2201 and 2202 and is brought for the purpose for determining a question of actual controversy between the parties as hereinafter more fully appears.

III.

Jurisdiction of this action is based on 5 USC Section 704 and 28 USC Section 1331. Venue lies in this Court under 28 USC Section 1391.

IV.

In November, 1991, Plaintiff, Lorelyn Penero Miller, duly applied to defendant for registration as a United States Citizen and for issuance of a passport pursuant to 22 USC Section 211a and 22 CFR Sections 51.3 and 51.20.

V.

The application of Plaintiff, Lorelyn Penero Miller, was denied in a letter dated March 23, 1992.

VI.

Additional documentation was provided and reconsideration of the application was requested by Counsel in a letter dated July 30, 1992.

VII.

On August 21, 1992, attorney for Plaintiff received a letter dated August 11, 1992 from Richard Rosenman, Chief, Passport and Citizenship Unit, United States Embassy, Manila stating:

> "Thank you for your letter of July 30, 1992, regarding the registration as a U.S. citizen of Lorelyn Penero Miller.
>
> We are forwarding a copy to the State Department of the petition decree which legitimizes Lorelyn, and we are asking that the case be reconsidered. Although the final determination will be made in Washington, in our opinion the petition decree legitimizes Lorelyn at birth. Should the Department agree with us, we will be most pleased to register her as a U.S. citizen and issue her a U.S. passport.
>
> We will contact Lorelyn directly as soon as a decision is reached in this matter."

VIII.

In September, 1992, Plaintiff, Lorelyn Penero Miller, received a notice dated August 28, 1992 from Richard Rosenman, Vice Consul, United States Embassy, Manila, Philippines, informing her that her application for registration as a United States Citizen had been denied for the stated reason that her legitimation had not occurred prior to her eighteenth birthday.

IX.

On September 10, 1992 a request for reconsideration was sent to Ms. Monica Gaw, Chief of East Asia and Pacific Division, office of Citizens Consular Services, Department of State, Washington, DC 20520.

X.

On November 16, 1992, notice was received from the Defendant dated November 5, 1992, informing Plaintiff that Thomas W. Callow, Acting Director, Office of Citizens Consular Services, had upheld the decision denying recognition as a United States Citizen and a passport to the Plaintiff, Lorelyn Penero Miller.

XI.

The Defendant's letter of November 5, 1992 advises that there is no administrative appeal process in this case.

XII.

Defendant's action in denying Plaintiff, Lorelyn Penero Miller, recognition as a United States Citizen and a passport is illegal, null and void and of no effect for the following reasons:

1. The distinction in the Immigration and Nationality Act of 1952 between "legitimate" and "illegitimate" children is an unconstitutional violation of the Equal Protection Clause of the 14th Amendment of the United States Constitution.

2. The United States Government has acknowledged that Lorelyn Penero Miller is the daughter of Charlie R. Miller and some years from now she will be allowed to come to the United States as an immigrant. If she were "legitimate" she would be able to come as a citizen. She is thus denied equal protection of law.

3. Plaintiff, Lorelyn Penero Miller, has hereby been deprived of the right to travel abroad as a United States Citizen without due process of law in violation of the 5th Amendment of the United States Constitution.

4. The decree which legitimizes Lorelyn Penero Miller does so as of birth and the interpretation of The Passport and Citizenship Unit reflected in their letter of August 11, 1992 is correct and should have been adopted by Defendant.

XIII.

Plaintiff, Lorelyn Penero Miller, would be awarded citizenship, even though illegitimate, if her mother rather than her father were a citizen. The statute makes Plaintiff, Charlie R. Miller's citizenship irrelevant at this point. He is not allowed to pass on his citizenship to his daughter even though a female in his position could.

XIV.

Plaintiff, Charlie R. Miller, acknowledges that Congress can restrict the ability of citizen parents to transmit their citizenship to their foreign born children. However, having allowed parents to transmit citizenship to their

children pursuant to its Article I, Section 8 power, Congress may not violate his right to equal protection under the laws by utilizing the suspect classification of gender without justification.

XV.

In view of the Defendant's action as aforesaid, and Plaintiffs' contention that such action is illegal, null and void, there is an actual controversy within the jurisdiction of this Court, and declaratory and injunctive relief will effectively adjudicate the rights of the parties.

XVI.

Plaintiffs have exhausted their administrative remedies, and have no adequate remedy at law.

XVII.

Plaintiff, Lorelyn Penero Miller has information concerning their case which is not readily available from any other source.

WHEREFORE, Plaintiffs pray that:

1. The Defendant be ordered to provide Plaintiff Lorelyn Penero Miller with appropriate documentation to enable her to attend and participate in the trial of this case.

2. The Court render declaratory judgment that the Plaintiff Lorelyn Penero Miller is a citizen of the United States and is entitled to all the rights and privileges of

citizens of the United States including a right to possess a passport.

3. Defendant be permanent enjoined from denying Plaintiffs' application of the basis of "illegitimacy".

4. That Defendant be ordered to grant Plaintiffs' application forthwith.

5. The Court grant such other and further relief as it may deem necessary and proper.

Dated: 31 March 1993

Respectfully submitted,

/s/ Donald Ross Patterson
Donald Ross Patterson
Attorney for Plaintiffs
Bar Card No. 15622000

777 South Broadway, Suite 106
Tyler, Texas 75701-1648
(903) 592-8186

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing First Amended Complaint was sent to the attorney of record, Traci L. Kenner, Assistant United States Attorney, 110 North College, Suite 700, Tyler, Texas 75702 on this the 31st day of March, 1993.

/s/ Donald Ross Patterson
Donald Ross Patterson

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

LORELYN PENERO MILLER, Plaintiff, v. WARREN CHRISTOPHER, SECRETARY OF STATE, Defendant.	)	Civil Action No. 93-1182 (RCL)

MOTION TO DISMISS

Defendant, by and thorough his attorney, the United States Attorney for the District of Columbia, respectfully moves the Court pursuant to Rule 12(b)(1), (6), Federal Rules of Civil Procedure for dismissal of this Civil Action. The Court is without jurisdiction to grant the relief requested in this case, and plaintiff lacks standing. The defendant further submits that the complaint fails to state a claim upon which relief may be granted, and the defendant is entitled to judgment as a matter of law.

Respectfully submitted,

/s/ J. Ramsey Johnson
J. RAMSEY JOHNSON, BAR NO. 243253
United States Attorney

/s/ John D. Bates
JOHN D. BATES, BAR NO. 934927
Assistant United States Attorney

/s/ John C. Martin
JOHN C. MARTIN, BAR NO. 180711
Assistant United States Attorney

LCR Form No. 1A
(Birth-available)

Republic of the Philippines
OFFICE OF THE LOCAL CIVIL REGISTRAR
Angeles City

February 10, , 19 92

TO WHOM IT MAY CONCERN:

We certify that, among others, the following facts of birth appear in our Register of Births on page 95 of book number 32:

LCR registry number	:	3041
Date of registration	:	06/30/70
Name of child	:	LORENA PENERO
Sex	:	Female
Date of birth	:	June 20, 1970
Place of birth	:	Christ the King hospital
Name of mother	:	LUZ PENERO
Nationality of mother	:	Filipino
Name of father	:	- -
Nationality of father	:	- -
Date of marriage of parents	:	illegitimate
Place of marriage of parents	:	- - -
This certificate is issued to	:	LORENA PENERO

upon his/her request.

VERIFIED BY:

Ronaldo C. Angeles
Clerk III

PROCESO A. MEJIA, M.D., MPH
City Health Officer
Civil Registrar — RA 3700

For the Local Civil Registrar:

SALUD F.
Civil Registry

Amount paid	: P	10.00
O.R. No.	:	
Date paid	:	02/10/92

Note: This certication is not valid if it has mark of [illegible] of any entry.

DEFENDANT'S EXHIBIT A

15

APPLICATION FOR ☐ PASSPORT ☐ REGISTRATION

SEE INSTRUCTIONS—TYPE OR PRINT IN ▪ WHITE AREAS

1. NAME First NAME | MIDDLE NAME

LAST NAME

2. MAILING ADDRESS

STREET

CITY, STATE, ZIP CODE

COUNTRY | IN CARE OF

☐ 5 Yr. ☐ 10 Yr. Issue Date

R D O DP End. # Exp.

3. SEX Male Female | 4. PLACE OF BIRTH City, State or Province, Country | 5. DATE OF BIRTH Mo. Day Year | 6. SEE FEDERAL TAX LAW NOTICE ON REVERSE SIDE | SOCIAL SECURITY NUMBER 0 0 0 0 0 0 0 0 0

7. HEIGHT Feet Inches | 8. COLOR OF HAIR | 9. COLOR OF EYES | 10. (Area Code) HOME PHONE | 11. (Area Code) BUSINESS PHO

12. PERMANENT ADDRESS (Street, City, State, ZIP Code) | 13. OCCUPATION NONE

FOLD

14. FATHER'S NAME	BIRTHPLACE	BIRTH DATE	U.S. CITIZEN	16. TRAVEL PLANS (Not Mandatory)
			☑ YES ☐ NO	COUNTRIES / DEPARTURE DA
15. MOTHER'S MAIDEN NAME	**BIRTHPLACE**	**BIRTH DATE**	**U.S. CITIZEN**	LENGTH OF ST
			☐ YES ☑ NO	

17. HAVE YOU EVER BEEN ISSUED A U.S. PASSPORT? YES ☐ NO ☑ IF YES, SUBMIT PASSPORT IF AVAILABLE. ☐ Submit

IF UNABLE TO SUBMIT MOST RECENT PASSPORT, STATE ITS DISPOSITION: COMPLETE NEXT LINE

NAME IN WHICH ISSUED | PASSPORT NUMBER | ISSUE DATE (Mo., Day, Yr.) | DISPOSITION

SUBMIT TWO RECENT

FOLD

18. HAVE YOU EVER BEEN MARRIED? ☐ YES ☑ NO DATE OF MOST RECENT MARRIAGE Mo. Day

WIDOWED/DIVORCED? ☐ YES ☐ NO IF YES, GIVE DATE Mo. Day

SPOUSE'S FULL BIRTH NAME | SPOUSE'S BIRTHPLACE

19. IN CASE OF EMERGENCY, NOTIFY (Person Not Traveling With You) (Not Mandatory) RELATIONSHIP MOTHER

FULL NAME

ADDRESS 4140 MARIVELES ST. CORAZON BLVD. 2004 | (Area Code) PHONE NUMBER

20. TO BE COMPLETED BY AN APPLICANT WHO BECAME A CITIZEN THROUGH NATURALIZATION

I IMMIGRATED TO THE U.S. (Month, Year) | I RESIDED CONTINUOUSLY IN THE U.S. From (Mo., Yr.) To (Mo., Yr.) | DATE NATURALIZED (Mo., Day, Yr.) | PLACE

21. DO NOT SIGN APPLICATION UNTIL REQUESTED TO DO SO BY PERSON ADMINISTERING OATH

I have not, since acquiring United States citizenship, performed any of the acts listed under "Acts or Conditions" on the reverse of this application form (unless explanatory statement is attached). I solemnly swear (or affirm) that the statements made on this application are true and the photograph attached is a true likeness of me.

Subscribed and sworn to (affirmed) before me 12 Nov 92 (Month) (Day) (Year)

(Signature of person authorized to accept application)

Dec 4/11/92 (SEAL)

☐ Clerk of Court or ☐ PASSPORT Agent ☐ Postal Employee ☒ (Vice) Consul USA At Manila, Philippines

X Lorelyn Miller

(Sign in presence of person authorized to accept application)

22. APPLICANT'S IDENTIFYING DOCUMENTS ☐ PASSPORT ☐ DRIVER'S LICENSE ☐ OTHER (Specify)

ISSUE DATE Month Day Year | EXPIRATION DATE Month Day Year | PLACE OF ISSUE | No. | ISSUED IN THE NAME OF

23. FOR ISSUING OFFICE USE ONLY (Applicant's evidence of citizenship) Avios Cleared

☐ Birth Cert. ☐ BR ☐ CR City Filed/Issued:
☐ Passport Bearer's Name:
☐ Report of Birth
☐ Naturalization/Citizenship Cert. No.:
☐ Other:
☐ Been & Returned
☐ Attached

I/O Cleared

DEFENDANT'S EXHIBIT C

APPLICATION APPROVED

Examiner Name

Office, Date

FEE EXEC. POST Manila, Philippines

16

08-06-1993 13:16 P.02/18

APPLICATION FOR ☐ PASSPORT ☐ REGISTRATION

SEE INSTRUCTIONS—TYPE OR PRINT IN INK IN WHITE AREAS

1. NAME (First Name) LORELYN (Middle Name) PEÑERO
(Last Name) MILLER
2. MAILING ADDRESS #1363 MARIVELES ST., CLARKVIEW SUBD.
ANGELES CITY 2009
PHIL.
3. SEX ✓ 4. PLACE OF BIRTH (City, State or Province, Country) ANGELES CITY, PAMPANGA PHIL. 5. DATE OF BIRTH 06 20 70
6. HEIGHT 4 | 11 7. COLOR OF HAIR BROWN 8. COLOR OF EYES HAZEL
9. PRESENT PERMANENT ADDRESS (Street, City, State, Zip Code) #1363 MARIVELES ST., CLARKVIEW SUBD. ANGELES CITY 2009
10. TELEPHE NONE

	BIRTHPLACE	BIRTH DATE	U.S. CITIZEN
11. FATHER'S NAME CHARLIE RAY MILLER	VAN ZANT, TEXAS	JAN. 28, 19[illegible]	☑ YES ☐ NO
12. MOTHER'S MAIDEN NAME LUTGARDA L. PEÑERO	LEYTE	FEB. 28, 1949	☐ YES ☑ NO

13. IF UNABLE TO SUBMIT MOST RECENT PASSPORT, STATE BY WHICH ISSUED PASSPORT NUMBER

14. IF CHILD UNDER 14 YEARS OF AGE, NAME OF PARENT OR LEGAL GUARDIAN WHO WILL ACCOMPANY CHILD LUTGARDA P. RASPOTNIK MOTHER
#1363 MARIVELES ST. CLARKVIEW SUBD.

X/ Lorelyn Miller

FOR PASSPORT AGENCY USE ONLY (Applicant's signature)

17

08-06-1993 13:18

BEST AVAILABLE COPY

SUPPLEMENTAL APPLICATION STATEMENT TO BE COMPLETED AS REQUIRED BY CONSUL

- ☑ First Time Applicant
- ☐ Referred to Department for Decision
- ☐ Marriage Prior to March 2, 1931
- ☐ Resided Outside United States Over 10 Years Since Last Application

DCP

(First name) (Middle name) (Last name)

I LORELYN PEÑERO MILLER a United States citizen, do solemnly swear (affirm) to the following statements:

I CEASED TO RESIDE IN THE UNITED STATES ON OR ABOUT	I DEPARTED FROM THE UNITED STATES ON (Date)
N/A	N/A

I DEPARTED BY	NAME OF SHIP OR AIRLINE COMPANY	PLACE OF DEPARTURE
☐ Ship ☐ Airline	N/A	N/A

I HAVE SINCE RESIDED IN THE FOLLOWING COUNTRIES	I AM NOW RESIDING IN (Name of country)
PHILIPPINES	PHILIPPINES ☐ Permanently ☑ Temporarily

MY REASONS FOR SUCH FOREIGN RESIDENCE ARE

TO LIVE WITH MY FATHER

DATA ON BROTHERS AND SISTERS, LIVING AND DECEASED

NAME	DATE AND PLACE OF BIRTH		PRESENT ADDRESS
FRANCES P. RASPOTNIK	10-21-58	ANGELES CITY	#1385 MARIVELES ST.
FRANCIS P. RASPOTNIK JR.	12-28-62	ANGELES CITY	CLARKVIEW SUBD.
MICHAEL P. RASPOTNIK	12-29-65.	ANGELES CITY	2009 ANGELES CITY
JOSEPH MARTIN P. RASPOTNIK	10-12-86	ANGELES CITY	

IF ANY BROTHERS AND/OR SISTERS HAVE APPLIED FOR A PASSPORT OR REGISTRATION, FURNISH FOLLOWING INFORMATION

NAME	DATE OF APPLICATION	PLACE OF APPLICATION

OTHER REFERENCES IN THE UNITED STATES

NAME	ADDRESS
CHARLIE RAY MILLER	RT 1 BOX 221 BEN WHEELER, TEXAS 75754

SCHOOLS ATTENDED IN THE UNITED STATES

NAME	ADDRESS	PERIOD OF ATTENDANCE
N/A		

BAPTISMAL DATA	CHURCH	ADDRESS	DATE
	HOLY ROSARY PARISH	ANGELES CITY	NOV. 8, 1970

MARRIAGE PRIOR TO MARCH 3, 1931

The following section is to be completed by a woman applicant (or a wife to be included in a passport or registration) who, (1) was previously married before March 3, 1931, and (2) has not been issued or included in a United States passport or registration as a United States citizen abroad since March 3, 1931.

PREVIOUS MARRIAGE TERMINATED BY	DATE TERMINATED
☐ Death ☐ Divorce	
NAME OF FORMER HUSBAND (First, middle, last)	PLACE OF HIS BIRTH (City, state)

IF FORMER HUSBAND WAS BORN OUTSIDE OF THE UNITED STATES, COMPLETE ONE OF THE FOLLOWING:

☐ HE WAS NATURALIZED AS A U.S. CITIZEN ON	PLACE (City, state)	NATURALIZATION CERTIFICATE NO.

☐ HE OTHERWISE ACQUIRED U.S. CITIZENSHIP AS FOLLOWS

☐ FORMER HUSBAND WAS NOT A U.S. CITIZEN

I have (read) (had read to me in the _____ language) the contents of this application and I swear that I understand the statements contained herein.

Lorelyn P. Miller
(Signature of Applicant)

50179-201

OPTIONAL FORM 178A
(FORMERLY FS-176S)
MARCH 1973
DEPT. OF STATE

18

EMBASSY OF THE
UNITED STATES OF AMERICA
MANILA, PHILIPPINES

INFORMATION QUESTIONNAIRE

Date: 2/11/92

1. NAME: Lorelyn Miller
   Other names also known by, if any: Lore

2. PRESENT ADDRESS: 1365 Mariveles St. Clarkview Subd. Angeles City

3. PLACE OF BIRTH:
   DATE OF BIRTH: June 20, 1970

4. Have you ever lived in the United States (including Hawaii, Guam and Alaska)? no
   If so, give the following information concerning each period of such residence:

DATES From	To	ADDRESS	CITY	STATE

5. (a) On what date did you last leave the United States? not applicable
   (b) By what means? (State name of ship or airline.) none
   (c) Through what port? none
   (d) Accompanied by whom? (Give names and relationships.) none

6. Give the following information concerning each period of residence outside the United States:

Dates	Barrio or Street Number	Addresses City or Town	Country
1970 - 1982	Brgy. Takuranga Leyte		Phil.
1982 - 1991	1365 Mariveles St. Clarkview	Angeles City	Phil.

7. Schools attended:

From	To	Grade or Year	Name and address of school
1976	- 1977	Grade I	Holy Infant College - Tacloban
1977	- 1979	Grade II - III	Ritchie Elem. - Tacloban
1979	- 1982	Grade IV - VI	Nelga Elem. - Leyte
1981	- 1982	1st yr.	Leyte Institute - Tacloban
1982	- 1985	2nd yr.	Angeles University - Angeles
1982 - 1985		3rd - 4th yr.	REC - Angeles City
1985 - 1991		1st to 4th yr. college	Holy Angel University, Angeles City

MSL/PPT-4A
July 1982

19

8. Supply the following information concerning your employment:

From	To	Kind of Work	Name of Employer	Address
		NO		

9. Were you naturalized as a citizen of the United States? Yes/No. If yes, give the number of your Certificate of Naturalization, and the date and place you were naturalized. _____

10. (a) Are you married? NO.
    (1) Name of spouse NONE
    (2) Date and place of marriage NONE
    (3) Date and place of his or her birth NONE
    (4) What is his or her nationality? NONE
    (5) What is his or her present address? NONE
    (6) Has this marriage been terminated? ____. If so, give the date and cause of termination _____

    (b) Have you ever been previously married? No. If so, please furnish the following information:

Name of Previous Spouse(s)	Date of Marriage	Place of Marriage	Date Marriage Terminated	Cause of Termination
	NONE			

    (c) Have your spouse ever been previously married? If so, please furnish the following information:

Name of Previous Spouse(s)	Date of Marriage	Place of Marriage	Date of Marriage Terminated	Cause of Termination
	NO			

MNL/PPT-4A
July 1982

AUG 6 '93 13:21

PAGE.005

11. Do you have any children? no. If so, how many? none. Give the following information regarding all of your children (living and deceased).

Name	Date of Birth	Place of Birth	Present Address
	none		

12. Do you have a legal domicile in the United States? If so, give the name of the State no. Do you have corroborative evidence to show that you are a legal domicile of such State? none. If so, please indicate such evidence.

13. (a) What is your father's name? Charlie Miller
(b) Other names also known by, if any Charlie
(c) What is his nationality? American
(d) Where was he born? Texas U.S.A
(e) Date of his birth? Jan 28, 1944
(f) What is his present address? (If deceased, give the date and place of death.) Route I Box 321, Bay View Texas
(g) If he was born outside the United States, did he emigrate to the United States (including Hawaii, Guam and Alaska)? If so, when? no
And during what years did he reside in the U.S. since birth
(h) Was your father ever naturalized as a citizen of the United States? no
If so, supply the following information:
(1) Date of Naturalization not applicable
(2) Place of Naturalization not applicable
(3) Certificate of Naturalization No.
(i) Did your father ever serve in the Armed Forces of the United States? yes - USAF
If so, give the inclusive dates
(j) Was your father ever a civilian employee of the United States Government outside the U.S.? yes. If so, give the inclusive dates, position held and employer:

14. (a) What was your mother's maiden name? Estigoy
(b) Other names also known by, if any Lucy
(c) What is her nationality? Filipina
(d) Where was she born? Lingig
(e) Date of birth? Feb 28, 1948
(f) What is her present address? (If deceased, give date and place of death.) 1865 Normandie Dr. Rowland Heights, Los Angeles Co
(g) If she was born outside the United States, did she emigrate to the United States? no. If so, when? not applicable and during what years did she reside in the U.S.?

(h) Was your mother ever naturalized as a citizen of the U.S.? no.
If so, supply the following information:
(1) Date of Naturalization not applicable
(2) Place of Naturalization not applicable
(3) Certificate of Naturalization No.

(i) Was your mother ever employed with the U.S. Government outside the United States? no. If so, give the inclusive dates, position held and employer:

15. Were your parents married? no. IF "YES" please furnish:
Date of marriage n/a
Place of marriage n/a
Has this marriage been terminated? no. If "YES" please furnish:
Date of termination n/a
Cause of termination n/a
Place (of death, divorce or annulment?) n/a
How many times was your father married? 1. If more than once, give:

Name of Wife Other than your mother	Date & Place of Marriage	If Marriage Terminated, give date & cause
Sandra Middlebrooks	May 9, 1981 - Van Zandt, Texas	May 22, 1986 - divorce

How many times was your mother married? 1. If more than once, give:

Name of husband Other than your father	Date & Place of Marriage	If Marriage Terminated give date & cause
Frank Rasputnik	Jan 24, 1987 - Angels City	no

16. Give the following information concerning all your brothers and sisters of the full blood (living or deceased).

Name	Place of Birth	Date of Birth	Present Address
	n/a		

17. Give the following information concerning all your half-brothers and half-sisters (living and deceased).

Name	Place of Birth	Date of Birth	Present Address
Frankie Rasputnik	Angels City	Oct. 21, 1980	same address as client
Jessica Rasputnik Jr.	Angels City	Dec. 10, 1981	
Michael Rasputnik	Angels City	Dec. 9, 1978	

Dual citizenship

18. Are you a citizen of the Philippine Republic? Y or of country other than the U.S.? _____. If yes, please furnish:
Name of country _____
Date of citizenship acquired _____
How acquired _____

19. Have you ever taken an oath or made an affirmation or other formal declaration of allegiance to the Philippine Republic or any other foreign state? no. If so, give date and other details and supply documentary evidence, if available: _____

20. Have you ever entered, or served in, the armed forces of the Philippine Republic or any other foreign state? no. If so, give dates and other details: _____

21. Have you ever accepted, or performed the duties of , any office, posts, or employment under the government of the Philippine Republic or any other foreign state or of any political subdivision thereof? no. If so, give dates and other details: _____

22. Have you ever made a formal renunciation of nationality before a diplomatic or consular officer of the United States in a foreign state? no
If so, give date and other details: _____

23. Have you ever been convicted by a court martial or a court of competent jurisdiction of the commission of any act of treason against, or of attempting by force to overthrow, or of bearing arms against the United States? no. If so, give details _____

24. (a) Who obtained for you the evidence (birth certificate, etc.) that you are presenting in support of your claim to American citizenship? mother
(b) What is his or her address? 1365 Mariveles St. Mandaluyong Mnl
(c) What is his or her relationship to you? mother
(d) When did you receive it? _____

25. Do you know any person(s) in the United States or Hawaiian Islands who can furnish information concerning your identity and the date and place of your birth? _____. If so, supply the following information:

Name	Address	Relationship	Place & date he or she last saw you

Supply similar information concerning persons in the Philippines who have personally known you since your childhood:

Name	Address	Relationship	Place & date he or she last saw you
Teodora Alvarado	- 960 Tarlac St. Cal. Angeles City	- mil	- 1970

I hereby affirm that the statements made above are true and that, if I execute a formal application for registration as an American citizen or for an American passport, they may be regarded as a part of such application.

Carolyn Miller
Signature of Applicant

TITLE 18 United States Code. 1542. False statement in application and use of passport

Whoever willfully and knowingly makes any false statement in an application for passport with intent to induce or secure the issuance of a passport under the authority of the United States, either for his own use or the use of another, contrary to the laws regulating the issuance of passports or the rules prescribed pursuant to such laws, or

Whoever willfully and knowingly uses or attempts to use, or furnishes to another for use any passport the issue of which was secured in any way by reason of any false statement,

Shall be fined not more than $2,000 or imprisoned not more than five years or both. (June 25, 1948, 62 Stat. 771, eff. September 1, 1948).

NEL/FPT-4A
July 1982